

**FILED**

**MAR 27, 1998**

SUPREME COURT OF WISCONSIN

Marilyn L. Graves  
Clerk of Supreme Court  
Madison, WI

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In the Matter of the Amendment of  
Supreme Court Rules: SCR 71.01 (3)  
(proposed) SCR 71.05 --  
Alternative Means of Reporting

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ORDER  
No. 97-11

The court held a public hearing March 17, 1998 on the petition of the Director of State Courts requesting the creation of a rule to authorize the use of alternative means of making a verbatim record of court proceedings in certain circumstances and to provide for the maintenance and retention of those records and for the preparation of transcripts to them. The court has considered the presentations at the public hearing and the materials filed with the court in this matter.

IT IS ORDERED that, effective June 1, 1998, the Supreme Court Rules are amended as follows.

SECTION 1. 71.01 (3) of the supreme court rules is amended to read:

(3) The director of state courts shall develop ~~guidelines~~ rules for the use of alternative means of making a verbatim record ~~and submit them to the supreme court for adoption as rules of judicial administration under SCR chapter 70.~~

SECTION 2. 71.05 of the supreme court rules is created to read:

**SCR 71.05 Alternative means of reporting.**

(1) The person reporting a court activity or proceeding may use electronic means if any of the following conditions is met:

(a) The chief judge of that district gives prior approval in high-volume court proceedings where transcripts are requested infrequently.

(b) After a reasonable effort to locate a court reporter is made, a court reporter is not available.

(c) The circuit court judge, with the approval of the chief judge of that district, determines that the use of electronic means is necessary.

(2) The electronic record shall be maintained in compliance with SCR 72.05 for the length of time required in SCR 72.01 (47) or for the time required for the case type under SCR 72.01, whichever is shorter.

(3) If a transcript of any proceeding that is electronically recorded under sub. (1) is required, the court shall order that a transcript be prepared. The court reporter who prepares the transcript under this subsection shall certify that it is a verbatim transcript of the electronic recording of the proceeding. Transcripts under this subsection shall comply with SCR 71.04.

(4) The director of state courts shall promulgate standards governing the use of electronic reporting.

IT IS FURTHER ORDERED that notice of these amendments of the Supreme Court Rules shall be given by a single publication of a copy of this order in the official state newspaper and in an official publication of the State Bar of Wisconsin.

Dated at Madison, Wisconsin, this 27th day of March, 1998.

BY THE COURT:

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Marilyn L. Graves  
Clerk of Court

WILLIAM A. BABLITCH, J., did not participate.